

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

KENNETH MEYERS,)	
on behalf of Plaintiff and the)	
class members described herein,)	
)	
Plaintiff,)	No. 1:20-cv-05543
)	
vs.)	Judge Andrea R. Wood
)	Magistrate Judge Jeffery Cummings
ARIZONA BEVERAGES USA LLC,)	
)	
Defendant.)	

**DECLARATION OF DON VULTAGGIO IN SUPPORT OF DEFENDANT’S
MOTION TO DISMISS PLAINTIFF’S COMPLAINT OR,
ALTERNATIVELY, TO TRANSFER VENUE**

DON VULTAGGIO, of full age, declares as follows:

1. I am the Chairman of defendant, Arizona Beverages USA LLC (“ABU”). I have personal knowledge of ABU’s business operations.
2. I make this declaration in support of ABU’s motion to dismiss Plaintiff’s complaint or, alternatively, to transfer venue of this action.
3. ABU is a limited liability company which was organized in the State of New York.
4. ABU’s main headquarters are located at 60 Crossways Park Drive, One Arizona Plaza, Suite 400, Woodbury, New York 11797.
5. Decisions about the contents and labeling of ABU’s products take place in the State of New York.
6. The persons at ABU, including myself, with knowledge of the sale of the Arnold Palmer beverages identified in the complaint, are located in New York.

7. None of the co-packers that make ABU's beverages are located in Illinois.

8. Attached as Exhibit A is a copy of a label of the Arnold Palmer Zero Calorie beverage.

9. Attached as Exhibit B is a copy of a label of the Arnold Palmer Diet beverage.

I hereby declare that all of the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Dated: November 12, 2020



DON VULTAGGIO